



# राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

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शिमला, बोरवार, 9 जनवरी, 1964/19 पौष, 1885

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## GOVERNMENT OF HIMACHAL PRADESH

### LAND REFORMS DEPARTMENT

#### NOTIFICATION

*Simla-4, the 30th December, 1963*

**No. R. 25-206/59.**—In exercise of the powers conferred by clause (j) of sub-section (2) of section 26 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 (Act No. 15 of 1954), the Lieutenant Governor, Himachal Pradesh, propose to make the following rules, which are hereby published as required by section 142 of the aforesaid Act, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or before the 29th of January, 1964.

Any objection or suggestion which may be received from any person with respect to the said draft rules before the date specified above, will be considered by the Government.

Any objections and suggestions to the said draft Rules should be addressed to the Additional Secretary (Revenue) to the Himachal Pradesh Government, Simla-4.

## DRAFT RULES

1. *Title and Commencement.*—(1) These rules may be called the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms (Mode of Payment of Compensation and Grant of Proprietary Rights) Rules, 1963.

(2) They shall come into force from the date of their publication in the Rajpatra.

2. *Definition.*—In these rules, unless there is any thing repugnant in the subject or context:—

(a) “Act” means the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 (Act No. 15 of 1954).

(b) “Compensation Officer” means the person appointed as such by the State Government under sub-section (1) of section 9 of the Act.

(c) “Form” means a form appended to these rules.

(d) “Section” means a section of the Act.

3. *Determination of Compensation.*—As soon as the mutations of the lands of a landowner vested in the Government under section 27 of the Act, have finally been attested by the Revenue Officers and entered in the records of rights, the Revenue Officers with the help of revenue staff will start tenant-wise files in respect of his land in form ‘A’.

4. Relevant excerpts from the latest Jamabandi and Jamabandi of the year pertaining to vesting date *i.e.* 26-1-1955, should be placed in each file.

5. The files which are complete in all respects shall be passed on by the Revenue Officer concerned to the Compensation Officer of his District or Tehsil for assessing and determining the amount of compensation in accordance with the provisions contained in sub-section (3) of section 27 of the Act.

6. (1) The Compensation Officer, after having determined the amount of compensation, will serve a notice in form ‘B’ for information of all parties concerned and give fifteen days’ notice to them to prefer their objections, if any.

(2) If within the time allowed under sub-rule (1) no objection are received and if objections are received after having disposed of the objections, the Compensation Officer shall finally determine the amount of compensation, payable to the landowner concerned.

7. *Payment of Compensation.*—As soon as the Compensation Officer gives a final decision in respect of the amount of compensation, an entry to that effect shall be made in the register in form ‘C’ to be kept in his office. Entries of payments to the landowners shall also be made in this register at proper time to ensure payment to the landowners.

8. Compensation determined by the Compensation Officer shall be payable to rightful claimant under the order of the Compensation Officer, which order shall be passed in form ‘D’:

Provided, however, that in case where there is a dispute between the various claimants, the Compensation Officer shall direct the parties concerned to get a decision from a competent Civil Court if he so thinks necessary and payment will be made according to the decision of the Court.

9. The amount of compensation payable to landowner will be paid in cash.

10. The payment of the amount of compensation to the landowner concerned shall be made by the Compensation Officer concerned and he will obtain the receipt, in duplicate, from the landowner or his authorised agent in form 'E'. One copy of the receipt will be forwarded to the Accountant General, Punjab and the other placed on the concerned file by the Compensation Officer.

11. Every year funds will be provided by the Land Reforms Department in its budget under head "92—Compensation—Payment of compensation to land holders etc., on abolition of Zamindari System—Compensation" for making disbursement of compensation to landowners.

12. The Deputy Commissioner will draw the requisite amount from the above head of account as and when necessary on simple receipt voucher and place the same at the disposal of the Court of the Compensation Officer and for making disbursement. The Deputy Commissioner will be declared as drawing and disbursing officer under this head. The Compensation Officer will maintain a cash book and make necessary entries therein of receipts and disbursements.

13. *Grant of Proprietary Rights to Tenants.*—The Compensation Officer will take necessary action for the grant of proprietary rights to cultivating tenants under sub-section (4) of section 27 of the Act on payment of compensation.

14. The Compensation Officer will issue a notice in form 'F' to the tenants entitled to get proprietary rights under section 27 (4) of the Act, directing them to apply for acquisition of such rights.

15. (1) An application under section 24 (4) of the Act shall be made in form 'G' and may be presented to the Compensation Officer in whose jurisdiction the land is the possession of the tenant is situate.

(2) Immediately on receipt of an application referred to in the preceding sub-rule, the Compensation Officer shall cause it to be entered in his register in form 'H'. The acknowledgement portion duly filled in and signed with date of receipt by the official receiving the application shall be given to the applicant.

(3) The Compensation Officer shall, after making necessary enquiries, proceed to determine the amount of compensation payable by the tenant to the Government in accordance with provision of sub-section (3) of section 27 of the Act.

16. (1) The Compensation Officer shall after having determined the amount of compensation publish or cause to be published a notice in form 'D' for information of all concerned, giving one month's notice for preferment of objections, if any.

(2) If within the time allowed under sub-rules (1) no objections are

received, and if objections are received after having disposed of the objections, the compensation officer shall finally determine the amount of compensation payable by the tenant to the Government and direct the tenants to deposit the same in the Government Treasury, Sub-Treasury as the case may be under head "IX-Land Revenue-Miscellaneous Receipts on account of realisation of compensation from tenants", within a period of two months in the manner laid down in sub-rule (3) below:

Provided that the cases where the amount of compensation has been ordered to be paid by the tenants in instalments, the period of two months shall relate to the depositing into treasury/sub-treasury of the first instalment of the amount of compensation.

(3) The challan form for deposit of compensation duly filled in shall be presented in triplicate in the treasury or sub-treasury as the case may be, one copy of the form shall be retained in the treasury/sub-treasury and the duplicate and triplicate copies returned to the tenant duly receipted by the treasury/sub-treasury officer concerned. The duplicate copy of the said form shall be presented by the tenant to the compensation officer within the time prescribed in sub-rule (2) and the triplicate copy shall be retained by the tenant for his record.

(4) Failure of the tenant to forward a copy of the challan after deposit of the amount of compensation to the Compensation Officer within the time allowed under sub-rule (2), shall be deemed failure on his part to deposit the compensation within the prescribed period:

Provided that the compensation officer may for special reasons to be recorded, extend the period of two months prescribed under sub-rule (2) by a period not exceeding 60 (Sixty) days in any deserving case.

17. As soon as compensation officer gives final decision in regard to the amount of compensation, an entry to that effect will be made in the register in form 'J' to be kept in his office Tehsilwise. Entries of recoveries of compensation or instalments thereof from the tenant and of payment to the Government shall also be made in this register at proper time to ensure recoveries from tenants and payment to the Government.

18. The certificate of ownership of land shall on deposit by him of the amount of compensation or of the first instalment thereof, as the case may be, in Government treasury/sub-treasury be granted to tenant in form 'K' and a copy shall be sent to the Tehsildar concerned for making necessary entries in Revenue Records.

19. Failure of the tenant to deposit the amount of compensation or the first instalment thereof, as the case may be, within the prescribed period of two months under sub-rule (4) of rule 16, shall be sufficient ground for the compensation officer to proceed to cancel the proceedings relating to acquisition of proprietary rights by the tenant.

20. The notices required to be published and served under these rules shall be published by affixing one copy of the notice on the Notice Board of the Court of the District Judge or the Compensation Officer, concerned as the case may be, or at a conspicuous place in the locality in which the land in question is situate or any other manner considered proper by the authority concerned and served in the manner laid down under section 21, 22 and 23 of the Himachal Pradesh Land Revenue Act, 1953. One copy of the notice shall also be sent to party concerned at the known address.

FORM 'A'

(See rule 3)

Name of village.....Tehsil.....

Khata/ Khatauni No.	Name, parentage & other parti- culars of the land owner covered by section 27(1)	Name, parentage & other particu- lars of the culti- vating tenant to whom proprie- tary rights u/s 27(4) are to be granted	Khasra No.		Area with classification of land	Rent paid by the tenant
			Old	Present		
1	2	3	4A	4B	5	6

District.....

Share or measure of right and rate of Bachh	Land Revenue			Rate of Compensation	Amount of Compensation which the tenant u/s 27 (4) is required to pay	Amount of Compensation which the land- owner included in Col. No. 2 is entitled to receive u/s 27 (3)	Remarks
	Land Revenue	Cess	Total				
7	8A	8B	8C	9	10	11	12

## FORM 'B'

*Notice under Rule 6 of Himachal Pradesh Abolition of Big Landed Estates and Land Reforms (Mode of Payment of Compensation and Grant of Proprietary Rights) Rules, 1963*

Before the Compensation Officer.....  
 Tehsil..... District.....  
 In the matter of Union of India (Himachal Pradesh Government).  
*Versus*  
 Shri.....(Landowner).  
 To

All persons concerned.

Whereas the land measuring.....(as entered in the Revenue Records) situate in village....., Pargana....., Tehsil....., District..... in the ownership of Shri.....(Landowner) has vested in the Himachal Pradesh Government under sub-section (1) of section 27 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953.

And whereas a sum of Rs.....is proposed to be allowed as compensation to be paid by the Himachal Pradesh Government to the said Shri.....(Landowner) for extinction of the right, title and interest of the said landowner in the land described above under sub-section (4) of section 27 of the Act.

Now, therefore, in pursuance of Rule 6 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms (Mode of Payment of Compensation and Grant of Proprietary Rights) Rules, 1963, it is hereby notified for information of all persons concerned that objections in regard to the assessment of the said amount of Rs.....as compensation shall be received by the undersigned by.....(date).

Any person having any objection to make in the matter may do so in writing addressed to the undersigned on or before the date specified above, whereafter no objections shall be entertained.

Given under my hand and seal, this.....day of.....196 .

Seal.

.....  
 Compensation Officer,  
 .....District.

## FORM 'C'

(See Rule 7)

REVENUE DEPARTMENT, HIMACHAL PRADESH

*Register of payment of compensation to Landowners.....*  
 Tehsil..... District.....

1. Name and address of the Landowner.....
2. Particular of land in respect of which compensation is to be paid  
 .....
3. Amount of compensation determined by:—
  - (a) Compensation Officer.....
  - (b) District Judge.....
  - (c) Judicial Commissioner.....

4. Amount of compensation payable to landowner.....
5. Amount of compensation paid to landowner.....
6. Remarks.....

Entries in column No. 3 and 5 shall be initialled by the Compensation Officer.

**FORM 'D'**  
(See Rule 8)

*In the Court of the Compensation Officer at.....*

Whereas the compensation of the land measuring..... described in the Jamabandis for the \*years....., situate at village....., Tehsil....., District..... of which Shri ..... is landowner, has been assessed and determined Rs..... on account of extinction of right, title and interest of the said landowner on the said land, under section 27 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953.

Now, therefore, in exercise of the powers vested in me *vide* rule 8 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms (Mode of Payment of Compensation and Grant of Proprietary Rights) Rules, 1963, I hereby order that the said sum of Rs..... shall be paid to said ..... (landowner) whose right, title and interest in the said land have been extinguished. He should appear in this Court to receive the said amount.

(Seal)

Place.....

Date.....

.....  
*Compensation Officer,*  
..... *District.*

\*Latest Jamabandis and Jamabandi for the year pertaining to the vesting date *i.e.* 26-1-1955.

**FORM 'E'**  
(See Rule 10)

*Form of receipt for payment of compensation to Landowners under section 27(3) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953*

I,....., son of Shri....., resident of..... do hereby acknowledge to have received a sum of Rs..... (in words)....., being the amount of compensation of land as per particulars given below, on account of extinction of my right, title and interest on that land under section 27(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953:

- (1) Name of village.....
- (2) Tehsil....., District.....
- (3) Khata/Khatauni Nos. as entered in Jamabandis.....
- (4) Khasra No.....
- (5) Area.....

Date.....

Place.....

.....  
*Signature of Payee.*



Paid in my presence in cash to the above person the sum of Rs.....  
(in words) .....

Date.....

Place.....

Signature of Compensation Officer.

FORM 'F'

(See Rule 14)

*Notice under Rule 14 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms (Mode of Payment of Compensation and Grant of Proprietary Rights) Rules, 1963*

Before the Compensation Officer.....

Whereas right, title and interest of Shri..... (landowner) in the land description given below, has been acquired by the State Government under section 27(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953:

- (1) Area.....
- (2) Khasra No.....
- (3) Khata/Khatauni No. as per Jamabandi for the year.....
- (4) Village....., (5) Tehsil.....
- (6) District .....

Whereas according to the entries in the relevant Revenue Records in respect of the said land, i.e., Jamabandi for the years....., stand in the name of Shri....., son of Shri..... as cultivating tenant of the said land.

And whereas under section 27(4) of the said Act, the said Shri ..... son of Shri..... is to be conferred proprietary rights on the said land against payment of compensation.

Now, therefore, in exercise of the powers vested in me vide rule 14 of the said Rules, I, hereby call upon Shri.....son of Shri..... to put in an application on prescribed form for acquisition of proprietary rights on the said land held by him under tenancy against payment of due compensation within a period of 30 days from the date of receipt of this notice.

Given under my hand and seal this.....day of.....

196.

(Seal).

.....  
Compensation Officer,  
.....District.

FORM 'G'

[See Rule 15(1)]

*Form of application for acquisition of proprietary rights by tenants under section 27(4) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953*

In the court of the Compensation Officer....., Tehsil....., District.....

I, .....son of.....beg to state that I am the cultivating tenant (other than a sub-tenant) of the land lying under Khata/Khatauni No....., Khasra No.....



as entered in the Jamabandis for the years\* .....  
 .....(copies enclosed) of chak.....  
 Pargana....., Tehsil....., District.....  
 standing in the name of.....  
 son of .....as landowner prior to 26-1-1955  
 and thereafter in the name of *Sarkar Daulatmadar* as landowner.

2. I was and am, at present paying in respect of the said land rent in kind/cash at the rate of Rs.....(on 26-1-1955) and Rs..... (at present) per annum in the ratio of.....to the said landowner. The land is assessed to Rs.....as annual land revenue and rates and cesses for the time being chargeable thereon.

3. I wish to acquire the proprietary rights in the said land and am willing to pay compensation for the same as provided in 'the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953.

Place.....

Date.....

Signature of applicant.

Full address.....

\*Copy of latest Jamabandi and Jamabandi for the year pertaining to vesting date i.e. 26-1-1955.

### FORM 'G'

(Acknowledgement)

In the Court of Compensation Officer....., Tehsil  
 ..... District.....

Received an application dated.....from Shri..... for acquisition of proprietary rights under the H.P. Abolition of Big Landed Estates and Land Reforms Act, 1953, which has been entered at serial No..... of the Register in form 'H'.

Place.....

Date.....

Signature and Designation of the  
 Officer receiving the application.

### FORM 'H'

[See Rule 15(2)]

Register of files to be maintained in the office of the Compensation  
 Officer....., Tehsil.....,  
 District.....

1. Serial No.....
2. Date of presentation of application .....
3. Name of the applicant with address.....
4. Name of the other party with address.....
5. Full particulars (Khata, Khatauni and area) of the holding desired to be acquired.....
6. Extract of the final order of the compensation.....
7. Remarks.....

## FORM 'I'

[See rule 16(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms (Mode of Payment of Compensation and Grant of Proprietary Rights) Rules, 1963]

Before the Compensation Officer....., Tehsil.....,  
District.....

In the matter of Shri.....(Tenant).

Versus

Union of India.

To

All persons concerned.

-Whereas Shri.....(Tenant) has applied under subsection (4) of section 27 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953, for grant of proprietary rights in the land of his tenancy measuring.....(as entered in the Revenue Records) situate in village....., Pargana....., Tehsil....., District.....in the ownership of Himachal Pradesh Government.

And whereas a sum of Rs.....is proposed to be allowed as compensation to be paid by the said Shri.....(Tenant) to the Himachal Pradesh Government, for acquisition of proprietary rights in the land described above.

Now, therefore, in pursuance of Rule 16(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms (Mode of Payment of Compensation and Grant of Proprietary Rights) Rules, 1963, it is hereby notified for information of all persons concerned that objections in regard to the assessment of the amount of Rs.....as compensation, shall be received by the undersigned by.....(date).

Any person having any objection to make in the matter, may do so in writing addressed to the undersigned on or before the date specified above whereafter no objection shall be received.

Given under my hand and Seal, this.....day of.....  
196 .

(Seal).

.....  
Compensation Officer,  
Tehsil.....  
District.....

## FORM 'J'

(See Rule 17)

Register of conferment of proprietary rights on tenant  
.....Tehsil.....District

1. Name and address of the tenant.....
2. Name and address of the landowner.....
3. Particulars of land in respect of which proprietary rights are transferred to the tenant.....
4. Amount of compensation determined by:—
  - (a) Compensation Officer.....
  - (b) District Judge.....
  - (c) Judicial Commissioner.....

5. Compensation whether payable in instalment or lump sum.  
Number and nature of instalment if payable in instalments.....
6. Amount of compensation received from the tenant in instalments:  
1      2      3      4      5      6
7. Amount of compensation paid to the landowner in instalment:  
1      2      3      4      5      6
8. Remarks.....

Entries in column No. 6 and 7 shall be initialled by the Compensation Officer.

FORM 'K'  
(See Rule 18)

Office of the Compensation Officer.....Tehsil.....District

Whereas Shri.....(Tenant) of land measuring.....  
comprising Khasra Nos. ...., Khata No.....  
described in the Jamabandis for the \*years.....situate in village  
....., Pargana....., Tehsil.....  
District....., has deposited a sum of Rs.....being,  
the full amount/first instalment of compensation determined for grant of  
proprietary rights to said Shri.....by the Government,  
in the said land under section 27 of the Himachal Pradesh Abolition of Big  
Landed Estates and Land Reforms Act, 1953.

Now, therefore, this certificate is hereby granted to Shri.....  
who shall on and from the date of grant of this certificate be deemed to be  
the owner of the land described above.

Given under my hand and seal, this.....day of.....  
196 .

(Seal)

.....  
Compensation Officer,

Place.....Tehsil.....District.

\*Latest Jamabandi and Jamabandis pertaining to vesting date i.e.  
26-1-1955.

By order,  
C. L. KAPILA,  
Additional Secretary (Revenue).

